

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KETURAH MIXON,

Plaintiff,

Case No. 1:13-cv-843

v

HON. JANET T. NEFF

BRONSON HEALTH CARE GROUP,
INC., et al.,

Defendants.

_____ /

OPINION AND ORDER

Plaintiff, proceeding pro se, filed this lawsuit in August 2013 against Defendants Bronson Battle Creek Hospital and Bronson Health Care Group, Inc., under the Emergency Medical Treatment and Active Labor Act (EMTALA), 42 U.S.C. § 1395dd. The case was referred to the Magistrate Judge (Dkt 4). Plaintiff and Defendants subsequently filed motions for summary judgment, and the Magistrate Judge issued a Report and Recommendation (R&R, Dkt 107), recommending that this Court grant Defendants' motion and deny Plaintiff's motions. The matter is presently before the Court on Plaintiff's objections to the Report and Recommendation (Dkt 108).

In accordance with 28 U.S.C. § 636(b)(1) and FED. R. CIV. P. 72(b)(3), the Court has performed de novo consideration of those portions of the Report and Recommendation to which objections have been made. The Court determines that the Magistrate Judge carefully handled this case and carefully and thoroughly considered the record, the parties' arguments, and the law governing a claim brought under the EMTALA. Further, the Magistrate Judge properly analyzed the factual and legal support for Plaintiff's claim. None of the assertions in Plaintiff's objections

persuades the Court otherwise. Rather, Plaintiff's objections merely reiterate and expand the positions she adopted in her motion papers, without demonstrating any factual or legal error in the Magistrate Judge's analysis that would warrant rejecting the Magistrate Judge's ultimate conclusion that "there is no genuine issue of material fact on the [] critical elements of Plaintiff's claim" (R&R, Dkt 107 at 2). For the reasons stated in the Report and Recommendation, the Court agrees that Defendants are entitled to the relief they seek. Accordingly, the Court will adopt the Magistrate Judge's Report and Recommendation as the Opinion of this Court and enter a Judgment consistent with this Opinion and Order. *See* FED. R. CIV. P. 58.

THEREFORE, IT IS ORDERED that the Objections (Dkt 108) are DENIED, and the Report and Recommendation (Dkt 107) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that Plaintiff's Motions for Summary Judgment (Dkts 84 & 98) are DENIED.

IT IS FURTHER ORDERED that Defendants' Motion for Summary Judgment (Dkt 94) is GRANTED.

Dated: March 31, 2015

/s/ Janet T. Neff
JANET T. NEFF
United States District Judge